

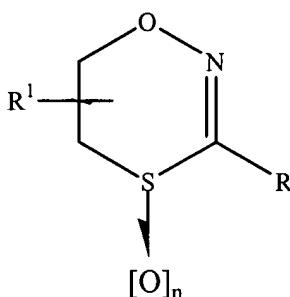
AMENDMENTS TO THE CLAIMS

Please amend the claims as follows:

1. (currently amended) A preservative composition comprising, in synergistic proportions, an oxathiazine compound plus ~~one or more of~~ a quaternary ammonium compound ~~and/or~~ a triazole compound, or both.

2. (original) A composition as claimed in claim 1 which comprises an oxathiazine compound, a quaternary ammonium compound and a triazole compound.

3. (original) A composition as claimed in claim 1 or claim 2 wherein the oxathiazine compound is a compound of formula (I)

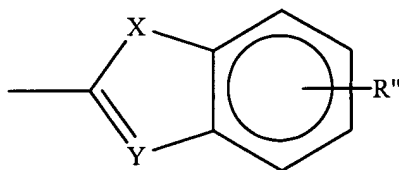


wherein n is 0, 1 or 2; R¹ is hydrogen, C₁-C₄ linear or branched alkyl, or benzyl; and R is:

(a) phenyl; naphthyl; phenyl substituted with 1 to 3 of the following substituents: hydroxyl, halo, C₁-C₁₂ alkyl, C₅-C₆ cycloalkyl, trihalomethyl, phenyl, C₁-C₅ alkoxy, C₁-C₅ alkylthio, tetrahydropyranyloxy, phenoxy, (C₁-C₄ alkyl)carbonyl, phenylcarbonyl, C₁-C₄ alkylsulfinyl, C₁-C₄ alkylsulfonyl, carboxy or its alkali metal salt, (C₁-C₄ alkoxy)carbonyl, (C₁-C₄ alkyl)aminocarbonyl, phenylaminocarbonyl, tolylaminocarbonyl, morpholinocarbonyl, amino, nitro, cyano, dioxolanyl, or (C₁-C₄ alkoxy)iminomethyl; pyridinyl; thienyl, preferably when n is not 2; furanyl; or thienyl or furanyl substituted with 1 to 3 of the following groups: alkyl, alkoxy, alkylthio, alkoxycarbonyl, halogen, trihalomethyl, cyano, acetyl, benzoyl, nitro, formyl, alkoxyaminomethyl, phenyl, or phenylaminocarbonyl, wherein the alkyl or alkoxy moiety is C₁-C₄, linear or branched;

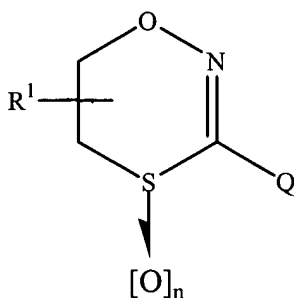
or

(b)



wherein X is oxygen or sulfur; Y is nitrogen, -CH-, or -C(C₁-C₄ alkoxy)-; and R'' is hydrogen or C₁-C₄ alkyl.

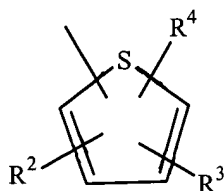
4. (original) A composition as claimed in claim 3 wherein the oxathiazine compound is a compound of formula (II)



(II)

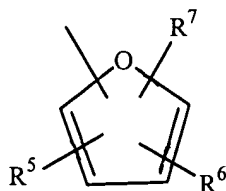
wherein n is 0, 1 or 2, R¹ is hydrogen, C₁-C₄ linear or branched alkyl, or benzyl; and Q is:

(a)



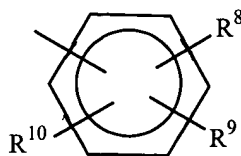
wherein R², R³ and R⁴ are, individually, hydrogen, alkyl, alkoxy, alkylthio, alkoxycarbonyl, halogen, trihalomethyl, cyano, acetyl, formyl, benzoyl, nitro, alkoxyaminomethyl, phenyl, or phenylaminocarbonyl, wherein the alkyl or alkoxy moieties are all C₁-C₄, linear or branched, with the proviso that at least one of R², R³ or R⁴ must be other than hydrogen;

(b)



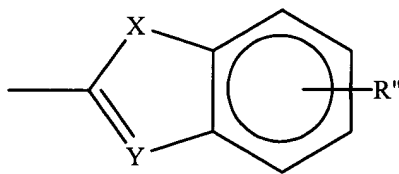
wherein R^5 , R^6 and R^7 are, individually, hydrogen, C_1 - C_4 alkoxy, C_1 - C_4 alkylthio, halogen, trihalomethyl, cyano, acetyl, formyl, benzoyl, nitro, phenyl, or phenylaminocarbonyl, with the proviso that at least one of R^5 , R^6 or R^7 must be other than hydrogen;

(c)



wherein R^8 , R^9 and R^{10} are, individually, hydroxyl, halo, C_1 - C_{12} alkyl, C_5 - C_6 cycloalkyl, trihalomethyl, phenyl, C_1 - C_5 alkoxy, C_1 - C_5 alkylthio, tetrahydropyranyloxy, phenoxy, (C_1 - C_4 alkyl)carbonyl, phenylcarbonyl, C_1 - C_4 alkylsulfinyl, C_1 - C_4 alkylsulfonyl, carboxy or its alkali metal salt, (C_1 - C_4 alkoxy)carbonyl, (C_1 - C_4 alkyl)aminocarbonyl, phenylaminocarbonyl, tolylaminocarbonyl, morpholinocarbonyl, amino, nitro, cyano, dioxolanyl, or (C_1 - C_4 alkoxy)iminomethyl; or

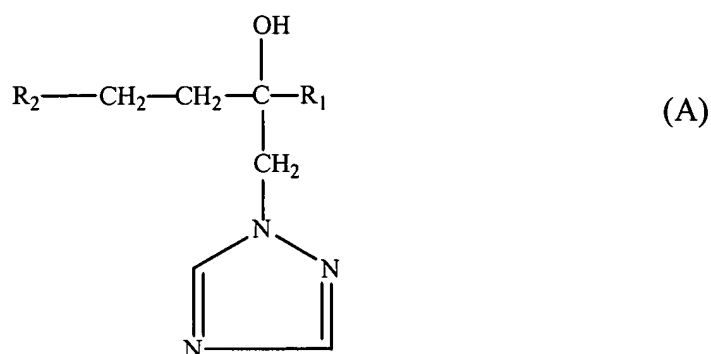
(d)



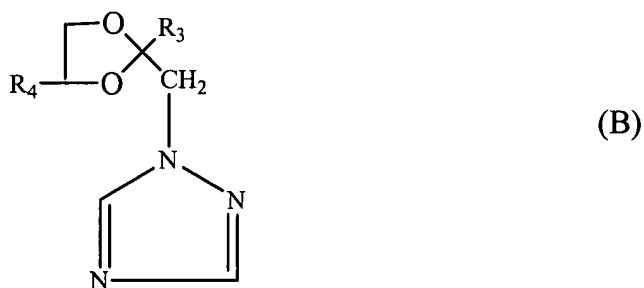
wherein X is oxygen or sulfur; Y is nitrogen, -CH-, or -C(C_1 - C_4 alkoxy)-; and R'' is hydrogen or C_1 - C_4 alkyl.

5. (original) A composition as claimed in claim 4 wherein the oxathiazine compound is selected from 3-(benzo[b]thien-2-yl)-5,6-dihydro-1,4,2-oxathiazine 4-oxide and 5,6-dihydro-3-(2-thienyl)-1,4,2-oxathiazine, 4-oxide.

6. (original) A composition as claimed in any one of the preceding claims wherein the triazole compound is selected from compounds of formula (A):



wherein R₁ represents a branched or straight chain C₁₋₅ alkyl group and R₂ represents a phenyl group optionally substituted by one or more substituents selected from halogen atoms or C₁₋₃ alkyl, C₁₋₃ alkoxy, phenyl or nitro groups and compounds of formula (B):



wherein R₃ is as defined for R₂ above and R₄ represents a hydrogen atom or a branched or straight chain C₁₋₅ alkyl group.

7. (currently amended) A composition as claimed in claim 16 wherein the triazole compound is selected from the group comprising tebuconazole, propiconazole, azaconazole, hexaconazole, difenaconazole, cyproconazole, bromuconazole, epoxiconazole, metconazole, triticonazole, fenbuconazole, flusilazole, tetraconazole and penconazole.

8. (original) A composition as claimed in any one of the preceding claims wherein the quaternary ammonium compound is selected from compounds of formula (III):



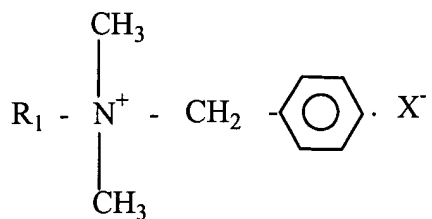
wherein R is an alkyl group having between 6 and 18 carbon atoms and X⁻ is an anion which allows ready water solubility of the quaternary ammonium salt,

compounds of formula (IV):

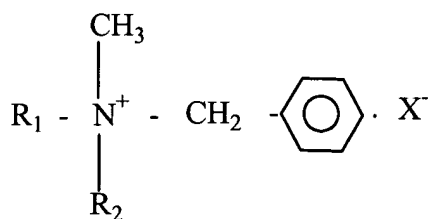


wherein R₁ and R₂ are alkyl groups which may be the same or different and which contain between 6 and 18 carbon atoms, and X⁻ is an anion as described above,

compounds of formulae (V) or (VI):

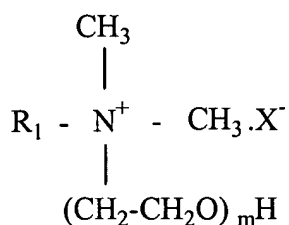


(V)

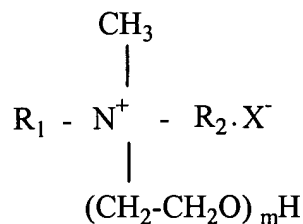


(VI)

wherein R₁ and R₂ are alkyl groups which can be the same or different and which contain between 6 and 18 carbon atoms and X⁻ is an anion as described above, compounds of formulae (VII) or (VIII):



(VII)



(VIII)

wherein R₁ and R₂ are alkyl groups which may be the same or different and which contain between 6 and 18 carbon atoms and wherein m is a number between 1 and 20.

9. (currently amended) A method of treating a substrate of wood or other material which comprises applying to the substrate a composition as claimed in claim 1 ~~any one of the preceding claims.~~

10. (original) A method as claimed in claim 9 wherein the substrate is affected by or at risk of being affected by soft rot.

11. (original) A method as claimed in claim 9 wherein the substrate is affected by or at risk of being affected by *Ascomycotina* or *Deuteromycotina*.

12. (currently amended) A method of preserving wood or other material which comprises applying to the wood or other material a composition as claimed in claim 1 ~~any one of claims 1 to 8.~~

13. (currently amended) ~~Use of a quaternary ammonium compound or a triazole to enhance~~ A method of enhancing the activity of an oxathiazine against *Ascomycotina* or *Deuteromycotina* fungi which comprises applying to wood or other material an oxathiazine plus a quaternary ammonium compound or a triazole compound, or both.

14. (new) A substrate made of wood or other material treated with a preservative composition as claimed in claim 1.

15. (new) A substrate of wood or other material comprising in synergistic proportions, an oxathiazine compound plus a quaternary ammonium compound or a triazole compound, or both.